

HOUSE BILL 3127

By Montgomery

AN ACT to amend Tennessee Code Annotated, Title 63,  
relative to services provided in free health clinics.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-1-203, is amended by adding the following language at the end of the section: "Notwithstanding any other provision of this part, a free health clinic may charge patients for dental services performed at the clinic on the basis of a sliding fee schedule that is approved by commissioner of health as being a nominal fee or as being less than the rates charged in the commercial market for dental services."

SECTION 2. Tennessee Code Annotated, Section 63-6-708, is amended by adding the following as a new subsection (c):

(c) (1) For the purposes of this section, a dentist who otherwise meets the requirements of this section shall be deemed to render dental services "voluntarily and without compensation" if the clinic or sponsoring organization charges patients for dental services performed at the clinic on the basis of a sliding fee schedule that is approved by commissioner of health as being a nominal fee or as being less than the rates charged in the commercial market for dental services.

(2) Subdivision (a)(2) shall not apply to a dentist who otherwise meets the requirements of this section, but who renders dental services at a clinic or sponsoring organization that charges patients for dental services performed at the clinic on the basis of a sliding fee schedule that is approved by commissioner of health as being a nominal fee or as being less than the rates charged in the commercial market for dental services.

(3) For the purposes of this section, a clinic or sponsoring organization for a dentist who otherwise meets the requirements of this section shall be permitted to use the liability protection available under subdivision (a)(1) and to charge patients for dental

services performed at the clinic on the basis of a sliding fee schedule that is approved by commissioner of health as being a nominal fee or as being less than the rates charged in the commercial market for dental services.

SECTION 3. The commissioner of health is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 4. This act shall take effect July 1, 2008, the public welfare requiring it.